

UNITED STATES OF AMERICA,) 3:00-cr-00058-HDM-RAM
)
Plaintiff,)
) ORDER
vs.)
)
HUMBERTO MAGANA ARIAS,)
)
Defendant.)
)

The court appointed defendant counsel to determine whether he qualifies for a reduction of sentence. Based upon probation's report, counsel does not intend to file a motion for a reduction.

1 The court will therefore grant the motion to withdraw.

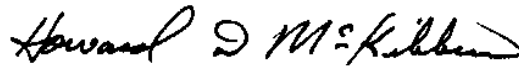
2 Before being granted counsel, defendant filed a letter (#267)
3 the court deemed to be a motion seeking Discretionary Relief
4 pursuant to 18 U.S.C. § 3582(c)(2). The court does not find a
5 response from the United States Attorney's office is necessary for
6 a ruling on defendant's motion. The defendant was sentenced to the
7 statutory minimum sentence available and is therefore not entitled
8 to a reduction.

9 Accordingly, defendant's motion to withdraw (#269) is **GRANTED**.

10 Furthermore, defendant's motion seeking Discretionary Relief
11 pursuant to 18 U.S.C. § 3582(c)(2) (#267) is **DENIED**.

12 IT IS SO ORDERED.

13 DATED: This 18th day of March, 2015.

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16 UNITED STATES DISTRICT JUDGE
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